

REMARKS

I. Status Of The Claims

Claims 1-6, 8-37, and 39-62 are pending in this Application.

Claims 1-4, 6, 8, 10, 15, 32-35, 37, 39, 41, and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Skladman (U.S. Patent No. 6,400,810) in view of Bain (U.S. Patent No. 6,288,715).

Claims 5 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Skladman in view of Bain and Kaars (U.S. Patent Application Publication No. 2002/0059384).

Claims 9 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Skladman and Bain in view of Reed (U.S. Patent No. 5,862,325).

Claims 11 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Skladman and Bain in view of Dillon (U.S. Patent No. 6,067,561).

Claims 12 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Skladman and Bain in view of Reed.

Claims 13, 14, 44, and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Skladman and Bain in view of McKinley (U.S. Patent No. 4,926,326).

Claims 16 and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Skladman and Bain in view of Wong (U.S. Patent No. 5,542,115).

Claims 17, 18, 20, 22, 24, 29, 30, 48, 49, 51, 53, 55, 60, and 61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Skladman in view of Bain and Lagimonier (U.S. Patent Application Publication No. 2003/0041265).

Claims 19 and 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Skladman in view of Bain, Lagimonier, and Kaars.

Claims 21 and 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Skladman in view of Bain, Lagimonier, and Reed.

Claims 23 and 54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Skladman in view of Bain, Lagimonier, and Reed.

Claims 25 and 56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Skladman in view of Bain, Lagimonier, and Dillon.

Claims 26 and 57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Skladman in view of Bain, Lagimonier, and Reed.

Claims 27, 28, 58, and 59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Skladman in view of Bain, Lagimonier, and McKinley.

Claims 31 and 62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Skladman in view of Bain, Lagimonier, and Wong.

Claims 1, 17, 32, and 48 are independent.

With this response claims 1, 17, 32, and 48 are amended. No new matter has been added.

II. Rejection of Independent Claims 1, 17, 32, and 48

The Office Action rejects independent claims 1 and 32 under 35 U.S.C. 103(a) as being unpatentable over Skladman and Bain, and rejects independent claims 17 and 48 under 35 U.S.C. 103(a) as being unpatentable over Skladman, Bain, and Lagimonier.

However, Applicants respectfully submit that the cited references, taken individually or in combination, fail, for example, to disclose, teach, or suggest:

“... displaying to said user ...; [and]

capturing a visual state of said displaying to said user ...”

as set forth in each of claims 1, 17, 32, and 48 as amended herewith (emphasis added).

The Office Action apparently contends that such is taught by Bain, the Office Action arguing that “[i]t is implicit that the display be ‘captured’ because, otherwise, it could not be displayed on a monitor” and that it can “be interpreted ... that the act of capturing the current visual state of the screensaver or the like is doing nothing more than displaying the screensaver or the like.”

However, Applicants respectfully submit that, for at least the reason that claims 1, 17, 32, and 48 each set forth both “displaying to said user” and “capturing a visual state of said displaying” (emphasis added), it is clear that “capturing a visual state” is not merely displaying.

In view of at least the foregoing, Applicants respectfully submit that claims 1, 17, 32, and 48, as well as those claims that depend therefrom, are in condition for allowance.

Furthermore, Applicants respectfully disagree with the Office Action’s view that:

“[t]he description can easily be interpreted such that the act of capturing the current visual state of the screensaver or the like is doing nothing more than displaying the screensaver or the like”
(see Office Action p. 18 – p. 19).

III. Dependent Claim Rejections

Applicants do not believe it is necessary at this time to further address the rejections of the dependent claims as Applicants believe that the foregoing places the independent claims in condition for allowance. Applicants, however, reserve the right to further address those rejections in the future should such a response be deemed necessary and appropriate.

CONCLUSION

Applicants respectfully submit that this Application is in condition for allowance for which action is earnestly solicited.

If a telephone conference would facilitate prosecution of this Application in any way, the Examiner is invited to contact the undersigned at the number provided.

AUTHORIZATION

The Commissioner is hereby authorized to charge any fees which may be required for this amendment, or credit any overpayment to Deposit Account No. 13-4500, Order No. 4208-4139.

Furthermore, in the event that a further extension of time is required, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to the above-noted Deposit Account and Order No.

Respectfully submitted,

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By: 

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